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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Bauer, et al.

Serial No.: 10/686,007

Filed: October 15, 2003

For: Motorcycle Rear Frame Mounting System

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

) Art Unit: 3611

) Our Ref. 49595.10.1

) I hereby certify that this correspondence is being:

) [X] deposited with the United States Postal Service as first  
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) on this 23 day of March, 2005

) By Theresa Russek  
Theresa Russek

AMENDMENT UNDER 37 CFR §1.312,  
REQUEST AND FEE TO ADD ORIGINAL  
ERRONEOUSLY NOT NAMED INVENTOR(S) IN  
NON-PROVISIONAL APPLICATION DECLARATION  
(37 C.F.R. § 1.48(a))

This amendment is filed under both 37 C.F.R. §§1.312 and 1.48(a). This amendment includes a request to correct the incorrect original naming of inventor(s) in the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on February 19, 2004.

Please add the following previously unnamed person(s) as inventor(s) of this application:

Michael M. Song

Attached are the following documents, as required under 37 C.F.R. § 1.48(a):

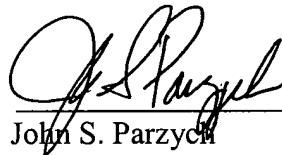
1. A statement from each person being added as an inventor (Michael M. Song) that the error in inventorship occurred without deceptive intention on his/her part. 37 C.F.R. § 1.48(a)(2).

2. A new declaration signed by each of the actual inventors (Kathy J. Bauer, Gary C. Gray, Jeffrey P. Wolf, Jason W.B. Hoeve and Michael M. Song) as required by 37 C.F.R. § 1.63 (or as permitted by §§ 1.42, 1.43 or 1.47). 37 C.F.R. § 1.48(a)(3).
3. A check in the amount of \$130.00 in payment of the fee under 37 C.F.R. § 1.17(i). 37 C.F.R. § 1.48(a)(4).
4. Written consent of the assignee, Polaris Industries Inc., including a Statement under 37 C.F.R. 3.73(b)., 37 C. 37 C.F.R. 1.48(a)(5).

The Commissioner is hereby authorized to charge any filing fees required to Deposit Account No. 061910. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: 3/23/05



John S. Parzych  
Registration No. 52,097  
Fredrikson & Byron, P.A.  
200 South Sixth Street, Suite 4000  
Minneapolis, MN 55402  
(612) 492-7279  
Customer No. 022859



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on this 23 day of March, 2005

By Theresa Russek  
Theresa Russek

STATEMENT BY ADDED INVENTOR UNDER 37 CFR 1.48(a)

I am a joint inventor of the invention for which the application captioned above was filed. The application was filed naming Kathy J. Bauer, Gary C. Gray, Jeffrey P. Wolf and Jason W.B. Hoeve as joint inventors. I am now being added as a joint inventor under 37 CFR 1.48(a). The inventorship error occurred without deceptive intention on my part.

Date: 3 March 05

Michael M. Song  
Michael M. Song

#3082873\1



Docket No  
49595 10 1

## Declaration and Power of Attorney For Patent Application

### English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

### MOTORCYCLE REAR FRAME MOUNTING SYSTEM

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on October 15, 2003, as United States Application No. 10/686,007.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

10/612,279 _____ (Application Serial No.)	July 1, 2003 _____ (Filing Date)	Abandoned _____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)

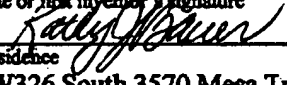
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

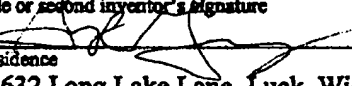
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Mary P. Bauman, Registration No. 31,926; Robert Day, Registration No. 54,059; John F. Dolan, Registration No. 45,382; Philip M. Goldman, Registration No. 31,162; Matthew J.S. Graham, Registration No. 54,647; Allen W. Groenke, Registration No. 42,608; James R. Haller, Registration No. 24,906; Natalie D. Kadievitch, Registration No. 34,196; Philip R. Kohls, Registration No. 51,891; Thomas L. McMasters, Registration No. 45,593; Adonis Neblett, Registration No. 32,358; James J. Paige Registration No. 50,886, John S. Parzych, Registration No. 52,097; Frank P. Piskolich, Registration No. 52,123; Charles D. Segelbaum, Registration No. 42,138; Kara K. Fairbairn, Registration No. 49,079; Eric J. Snustad, Registration No. 45,120; and David C. West, Registration No. 35,735.

Send Correspondence to: John S. Parzych  
Fredrikson & Byron, P.A.  
4000 Pillsbury Center  
200 South Sixth Street  
Minneapolis, MN 55402  
Customer No. 022859

Direct Telephone Calls to: John S. Parzych (612) 492-7279

Full name of sole or first inventor Kathy J. Bauer	
Sole or first inventor's signature 	Date 3/17/05
Residence W326 South 3570 Mesa Trail, Dousman, Wisconsin 53118	
Citizenship U.S.	
Post Office Address W326 South 3570 Mesa Trail, Dousman, Wisconsin 53118	

Full name of sole or second inventor Gary C. Gray	
Sole or second inventor's signature 	Date 3/22/05
Residence 2632 Long Lake Lane, Luck, Wisconsin 54853	
Citizenship U.S.	
Post Office Address 2632 Long Lake Lane, Luck, Wisconsin 54853	

Full name of sole or third inventor Jeffrey P. Wolf	
Sole or third inventor's signature <i>Jeffrey P. Wolf</i>	Date 3/10/05
Residence 409 3 <sup>rd</sup> Avenue, Osceola, Wisconsin 54020	
Citizenship U.S.	
Post Office Address 409 3 <sup>rd</sup> Avenue, Osceola, Wisconsin 54020	

Full name of sole or fourth inventor Jason W.B. Hoeve	
Sole or fourth inventor's signature <i>Jason W.B. Hoeve</i>	Date 3/10/05
Residence 1544 SE 12 <sup>th</sup> Street, Forest Lake, Minnesota 55025	
Citizenship U.S.	
Post Office Address 1544 SE 12 <sup>th</sup> Street, Forest Lake, Minnesota 55025	

Full name of sole or fifth inventor Michael M. Song	
Sole or fifth inventor's signature <i>M. Song</i>	Date 3 March 05
Residence 17587 91 <sup>st</sup> Avenue North, Maple Grove, Minnesota 55311	
Citizenship U.S.	
Post Office Address 17587 91 <sup>st</sup> Avenue North, Maple Grove, Minnesota 55311	

#3083886\1



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on this 23 day of March, 2005

By: Theresa Russek  
Theresa Russek

**ASSENT OF ASSIGNEE TO ADDITION OF INVENTORS UNDER 37 CFR §1.48(a)**

Polaris Industries Inc., a Delaware corporation having its principal place of business at 2100 Highway 55, Medina, Minnesota 55340-9770, hereby assents to the correction of inventorship filed herewith which, under 37 CFR §1.48(a), adds the name of Michael M. Song as joint inventor with Kathy J. Bauer, Gary C. Gray, Jeffrey P. Wolf and Jason W.B. Hoeve in the above-captioned non-provisional application.

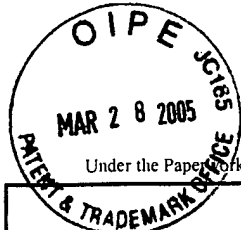
Polaris Industries Inc is the assignee of the entire right, title, and interest in the patent application captioned above by virtue of an assignment from each of the inventors. A statement under 37 CFR §3.73(b) is attached hereto and includes a copy of the assignment from each of the inventors. The practitioners associated with customer number 022859 (Fredrikson & Byron, P.A.) are granted authorization to sign the attached statement under 37 CFR §3.73(b) that evidences ownership of the above-captioned application by Polaris Industries Inc.

**POLARIS INDUSTRIES INC.**

Date 3.02.05

By: Mary McConnell  
Mary McConnell  
Its: Vice President and General Counsel



**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Bauer, et al.Application No./Patent No.: 10/686,007 Filed: October 15, 2003Entitled: **MOTORCYCLE REAR FRAME MOUNTING SYSTEM**Polaris Industries Inc.

(Name of Assignee)

, a corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Kathy J. Bauer, Gary C. Gray, Jeffrey P. Wolf and Jason W. B. Hoeve  
To: Polaris Industries Inc.

The document was recorded in the United States Patent and Trademark Office at Reel 015138, Frame 0995, or for which a copy thereof is attached.

2. From: Michael M. Song To: Polaris Industries Inc.

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

John S. Parzych

Printed or Typed Name

Attorney at Law

Title

3/23/05

Date

612-492-7279

Telephone Number

**ASSIGNMENT**

We, Kathy J. Bauer of 26661 Oakman Avenue, Lindstrom, Minnesota 55045, a citizen of the United States, Gary C. Gray of 2632 Long Lake Lane, Luck, Wisconsin 54853, a citizen of the United States, Jeffrey P. Wolf of 409 3<sup>rd</sup> Avenue, Osceola, Wisconsin 54020, a citizen of the United States, and Jason W.B. Hoeve of 1544 SE 12<sup>th</sup> Street, Forest Lake, Minnesota 55025, a citizen of the United States, have made an invention relating to MOTORCYCLE REAR FRAME MOUNTING SYSTEM and have executed an application for United States Letters Patent based thereon and identified by attorney's File No. 10739.51.33.2 and naming the following inventors: Kathy J. Bauer, Gary C. Gray, Jeffrey P. Wolf and Jason W.B. Hoeve regarding Application No. 10/686,007 filed October 15, 2003;

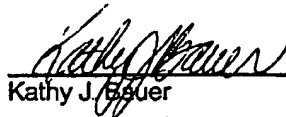
In exchange for good and valuable consideration, the receipt of which we now acknowledge, we hereby assign to Polaris Industries Inc., a Delaware corporation of 2100 Highway 55, Medina, Minnesota 55340-9770, its successors and assigns:

- (1) The entire right, title and interest to the above-identified invention and application;
- (2) The entire right, title and interest to any United States or foreign Letters Patents which may issue with respect to the above identified invention;
- (3) The entire right, title and interest to any renewals, reissues, extensions, substitutions, continuations, continuations-in-part, or divisions that may be filed with respect to the above identified invention and application;
- (4) The entire right, title and interest to any parent cases previously filed with respect to the above identified invention and application; and
- (5) The right to apply for Letters Patents in foreign countries in its own name and to claim any priority rights to which such foreign applications are entitled under international conventions, treaties or otherwise.

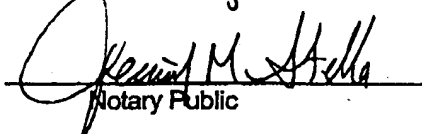
We further agree for ourselves and for our heirs, executors and administrators, to execute and deliver without further consideration any further applications, assignments or other documents and to perform such other lawful acts as Polaris Industries Inc., its successors and assigns may deem necessary to fully secure, maintain and enforce its rights, title or interest as outlined herein.

We hereby authorize and request the Commissioner of Patents and Trademarks to issue to Polaris Industries Inc., any Letters Patents which may be granted in accordance with this Assignment.

Dated: 8-17-04

  
Kathy J. Bauer

Subscribed and sworn to before me  
this 17<sup>th</sup> day of August, 2004.

  
Notary Public

Dated: 8-17-04

Subscribed and sworn to before me  
this 17<sup>th</sup> day of August, 2004.

James M. Stella  
Notary Public

Gary C. Gray  
Gary C. Gray

Dated: 8/17/04

Subscribed and sworn to before me  
this 17<sup>th</sup> day of August, 2004.

James M. Stella  
Notary Public

Jeffrey P. Wolf  
Jeffrey P. Wolf

Dated: 8-24-04

Subscribed and sworn to before me  
this 24<sup>th</sup> day of August, 2004.

James M. Stella  
Notary Public

Jason W.B. Hoeve  
Jason W.B. Hoeve

**ASSIGNMENT**

I, Michael M. Song of 17587 91<sup>st</sup> Avenue North, Maple Grove, Minnesota 55311, a citizen of the United States, have made an invention relating to MOTORCYCLE REAR FRAME MOUNTING SYSTEM and have executed an application for United States Letters Patent based thereon and identified by attorney's File No 49595.10.1 and naming the following inventor(s): Kathy J. Bauer, Gary C. Gray, Jeffrey P. Wolf, Jason W. B. Hoeve and Michael M. Song regarding Application No. 10/686,007 filed October 15, 2003;

In exchange for good and valuable consideration, the receipt of which I now acknowledge, I hereby assign to Polaris Industries Inc., a Delaware corporation of 2100 Highway 55, Medina, Minnesota 55340-9770, its successors and assigns:

- (1) The entire right, title, and interest to the above-identified invention and application;
- (2) The entire right, title, and interest to any United States or foreign Letters Patents which may issue with respect to the above identified invention;
- (3) The entire right, title, and interest to any renewals, reissues, extensions, substitutions, continuations, continuations-in-part, or divisions that may be filed with respect to the above identified invention and application;
- (4) The entire right, title and interest to any parent cases previously filed with respect to the above identified invention and application; and
- (5) The right to apply for Letters Patents in foreign countries in its own name and to claim any priority rights to which such foreign applications are entitled under international conventions, treaties or otherwise

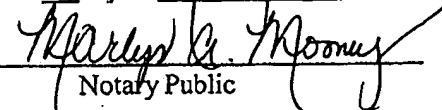
I further agree for myself and for my heirs, executors and administrators, to execute and deliver without further consideration any further applications, assignments or other documents and to perform such other lawful acts as Polaris Industries Inc., its successors and assigns may deem necessary to fully secure, maintain and enforce its rights, title or interest as outlined herein

I hereby authorize and request the Commissioner of Patents to issue to Polaris Industries Inc., any Letters Patents which may be granted in accordance with this Assignment

Dated: 3 March 05

  
Michael M. Song

Subscribed and sworn to before me  
this 3 day of March, 2005

  
Notary Public

